-X : : :
: 23 Civ. 10870 (LGS)
: <u>ORDER</u> : :

LORNA G. SCHOFIELD, District Judge:

WHEREAS, the initial pretrial conference in this matter is scheduled for January 31, 2024.

WHEREAS, no significant issues were raised in the parties' joint letter or proposed case management plan. It is hereby

ORDERED that the January 31, 2024, initial pretrial conference is **CANCELLED**. If the parties believe that a conference would nevertheless be useful, they should inform the court immediately so the conference can be reinstated. It is further

ORDERED that the parties shall resubmit their case management plan and scheduling order with the proper signatures on the fifth page by January 29, 2024. The case management plan and scheduling order subsequently will issue separately. The parties' attention is directed to the provisions for periodic status letters, and the need for a pre-motion letter to avoid cancellation of the final conference and setting of a trial date. It is further

ORDERED that, if Defendant seeks to file a motion to dismiss, it shall file a pre-motion letter pursuant to Individual Rules III.A.1 and III.C.2. It is further

ORDERED, regarding settlement discussions, the request for a referral to a settlement

conference is **GRANTED**. The referral will issue in a separate order. The parties are apprised that participation in mediation does not provide cause to stay discovery. The parties should be aware that the Court does not extend the deadlines for fact and expert discovery absent compelling circumstances.

Dated: January 25, 2024

New York, New York

LORNA G. SCHOFIELD

UNITED STATES DISTRICT JUDGE